

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RSI CORP., dba RESPONSIVE SYSTEMS  
COMPANY, a New Jersey corporation,

Case No. C-08-03414 RMW

Plaintiff,

## **ORDER DENYING MOTION TO SEAL**

VS.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION, a New York corporation;  
and DOE DEFENDANTS 1-20,

[Re Docket No. 258]

## Defendants.

To be sealable a document must be "privileged or protectable as a trade secret or otherwise entitled to protection under the law." L.R. 79-5(a). It is not appropriate to seal documents merely because a party has marked them confidential under the protective order. Here, IBM moves to seal the number of sales people involved in specific types of sales related to this case and some general information about its internal systems. *See* Dkt. Nos. 258, 258-1. This information is not a trade secret and therefore sealing is inappropriate. The motion is DENIED and IBM is ordered to file unsealed versions of the papers by April 24, 2013.

Dated: April 10, 2013

Ronald M. Whyte  
Ronald M. Whyte  
United States District Court Judge